

19891003

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, OCTOBER 3, 1989
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor McCarty at 10:25 a.m. The meeting was recessed by Deputy Mayor McCarty at 11:24 a.m. to meet in Closed Session in the twelfth floor conference room to discuss pending litigation, and to reconvene at 2:00 p.m. The meeting was reconvened by Mayor O'Connor at 2:06 p.m. with Council Members McColl, Pratt, Struiksma and Filner not present. Mayor O'Connor adjourned the meeting at 3:20 p.m. to immediately convene the Special Joint Council Meeting with the Redevelopment Agency, the Redevelopment Agency, and after that, the San Diego Housing Authority.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
 - (1) Council Member Wolfsheimer-present
 - (2) Council Member Roberts-present
 - (3) Council Member McColl-present
 - (4) Council Member Pratt-present
 - (5) Council Member Struiksma-excused by R-274751
(vacation)
 - (6) Council Member Henderson-present
 - (7) Council Member McCarty-present
 - (8) Council Member Filner-present
- Clerk-Abdelnour (mp;rb)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-not present
- (1) Council Member Wolfsheimer-present

- (2) Council Member Roberts-present
- (3) Council Member McColl-present
- (4) Council Member Pratt-not present
- (5) Council Member Struiksmma-not present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-not present

ITEM-330: (R-90-305) ADOPTED AS RESOLUTION R-274494

Considering the protests and confirming the assessment in the matter of paving and otherwise improving PROJECT FIRST CLASS ALLEY AND SEWER REPLACEMENT - CONTRACT NO. 2, on Assessment Roll No. 4023, under Resolution of Intention R-269548, adopted October 26, 1987. (1911 Street Improvement Act.)

(Southeast San Diego Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: On July 11, 1988, Council awarded a contract for improvement of four alleys in the Project First Class area in accordance with the Council-adopted CDBG Assessment District cost sharing program.

Construction is now complete, and the assessments must be levied. CDBG funds will be used to pay the costs that are assessed to owner-occupied properties where the owner meets HUD income guidelines. Where property owners do not satisfy both conditions, the assessment remains, and may be paid over a ten year period. Each property owner has been sent information regarding the remaining cost assessable to their property, an eligibility form for CDBG funding, and a notice of today's hearing. The final amount assessed to the district is 9 percent

above the amount noticed to the property owners at the time of the public hearing due to higher construction costs.

Current information indicates that 7 out of 37 property owners satisfy the residency requirements. Information gained from the eligibility forms will determine which owners also satisfy the income requirements. In order to facilitate the timely discharge of assessments, it is proposed that CDBG funds equal to the assessments against all owner-occupied parcels be authorized. All unused funds will be returned to the CDBG fund. Aud. Cert. 9000164.

FILE LOCATION: STRT D-2267

COUNCIL ACTION: (Tape location: A054-067.)

Hearing began at 10:29 a.m. and halted at 10:30 a.m.

MOTION BY PRATT TO ADOPT THE RESOLUTION CONFIRMING THE ASSESSMENT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-331:

Rezoning Lots C, D, E, and F, Block No. 358, of Horton's Addition (an approximately 0.55-acre site), to remove the Hillside Review Overlay Zone and retain Zones MR-1000 and R1-40,000. The subject property is located on the east side of Third Avenue between Redwood Street and Spruce Street, in the Uptown Community Plan area.
(Case-87-1043. District-8.)

Subitem-A: (R-90-462) ADOPTED AS RESOLUTION R-274495

Adoption of a Resolution certifying that the information contained in the Addendum to Environmental Impact Report EIR-87-1043 and the Mitigation and Monitoring and Reporting Program has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (O-90-44) INTRODUCED, TO BE ADOPTED
OCTOBER 16, 1989

Introduction of an Ordinance for MR-1000 and R1-40,000
Zoning.

FILE LOCATION: Subitem-A: ZONE ORD. NO.; Subitem-B: - -

COUNCIL ACTION: (Tape location: A074-244.)

Hearing began at 10:31 a.m. and halted at 10:45 a.m.

Testimony in favor by Ferdinand Fletcher.

Testimony by Eleanor Meadows.

MOTION BY FILNER TO APPROVE STAFF RECOMMENDATION TO ADOPT THE RESOLUTION AND INTRODUCE THE ORDINANCE, AND TO DIRECT PLANNING DEPARTMENT STAFF TO REVIEW ELEANOR MEADOWS' PROPERTY TO DETERMINE IF A ZONING ADJUSTMENT IS NECESSARY. Second by Pratt.

Passed by the following vote: Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-332:

Appeal of M. Hope Meek, et al, from the decision of the Planning Commission in granting Coastal Development Permit CDP-89-0341, proposing to construct thirteen (13) dwelling units. The subject property (approximately .91 acres) is located between Torrey Pines Road, Ivanhoe Avenue, and Ivanhoe East Avenue, and is more particularly described as Lots 1 through 7, Block 27, La Jolla Park Map-352, in Zone R-3000, in the La Jolla Community Plan area.

(CDP-89-0341. District-1.)

Subitem-A: (R-90-735) ADOPTED AS RESOLUTION R-274496

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Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-89-0341 has been completed in compliance with the California

Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-90-734) ADOPTED AS RESOLUTION R-274497
DENYING APPEAL AND GRANTING PERMIT

Adoption of a Resolution granting or denying the appeal and granting or denying the permit, with appropriate findings to support Council action.

FILE LOCATION: PERM - CDP-89-0341

COUNCIL ACTION: (Tape location: A280-B182.)

Hearing began at 10:46 a.m. and halted at 11:22 a.m.

Testimony in favor of the appeal by M. Hope Meek, James Hudnall, Jack Kyte, and Philip Colombi.

Testimony in opposition to the appeal by Robert Kaplan, David Lorimer, and Gerald Garner.

MOTION BY WOLFSHEIMER TO CLOSE THE HEARING, DENY THE APPEAL AND APPROVE THE PROJECT WITH A DIRECTION TO STAFF TO INCREASE THE LANDSCAPING TO DOUBLE THE PLANNING DEPARTMENT'S STANDARDS.

Second by Roberts. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,

Struiksma-not present, Henderson-nay, McCarty-yea, Filner-nay,

Mayor O'Connor-not present.

ITEM-333: (R-90-446 Cor. Copy) ADOPTED AS RESOLUTION R-274498

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Proposal to adopt a standing Resolution authorizing the Planning Director to transmit all amendments to the City's Local Coastal Program, which have been adopted by the City Council, to the California Coastal Commission.

(City-Wide.)

Adoption of a Resolution authorizing and directing the Planning Director to transmit to the California Coastal Commission all amendments to the City's Local Coastal Program which have been adopted by the City Council.

PLANNING DEPARTMENT SUPPORTING INFORMATION: This is a procedural action which is intended to simplify the LCP amendment process. The anticipated benefits include a reduction in staff time needed to prepare separate transmittal resolutions

and a lowering of the probability for time consuming procedural errors. This action is recommended because the City of San Diego must process numerous LCP amendments each year, many of which are not specifically intended to address coastal issues. This resolution will not eliminate the need to provide public hearing notices of LCP amendment actions. Additionally, all LCP amendments will continue to be indicated as such on the Planning Commission agenda and City Council docket.

FILE LOCATION: LAND - Local Coastal Program

COUNCIL ACTION: (Tape location: B185-202.)

Hearing began at 11:22 a.m. and halted at 11:23 a.m.

MOTION BY McCOLL TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-334:

1) Rezoning properties on the east side of Front Street between Walnut and Upas Streets, in the Uptown Community Plan area, from Zone R-600 to Zone MR-1000, and
2) Proposal to adopt an amendment to the Uptown Community Plan for a designation of medium-high density residential (44-73 dwelling units per acre). Zone R-600 permits one dwelling unit per 600 square feet of lot area (73 dwelling units per acre). Zone MR-1000 permits one dwelling unit per 1,000 square feet of lot area (44 dwelling units per acre). Zone MR-1000 additionally has higher parking standards and additional design standards compared to Zone R-600.

The subject property is more particularly described as Lots 1 and 2, Block 21 of Cleveland Heights Map 621, and Block 415, Horton's Addition DB 13/522.

(Case-88-0729. District-8.)
Subitem-A: (R-90-422) ADOPTED AS RESOLUTION R-274501

Adoption of a Resolution re-certifying that the information contained in Environmental Impact Report EIR-88-0762 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (O-90-32) INTRODUCED, TO BE ADOPTED ON OCTOBER 16, 1989

Introduction of an Ordinance for MR-1000 Zoning.
Subitem-C: (R-90-278) ADOPTED AS RESOLUTION R-274502

Adoption of a Resolution amending the community plan.

FILE LOCATION: SUBITEM-A: ZONE - ORD. NO.; SUBITEM-B: --;
SUBITEM-C: LAND - UPTOWN COMMUNITY PLAN

COUNCIL ACTION: (Tape location: C097-113.)
Hearing began at 2:17 p.m. and halted at 2:19 p.m.
MOTION BY FILNER TO APPROVE THE ITEM. Second by Roberts.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-335:
Appeal of Mobil Oil Corporation, by Kenneth B. Huepper, Senior Real Estate Representative, from the decision of the Planning Commission in denying Conditional Use Permit CUP-89-0326, proposing to demolish an existing service station structure and construct a new 1,596 square-foot service station / mini market and car wash. The subject property (approximately 0.74-acres) is located on the southwest corner of Governor Drive and Genesee Avenue, north of SR-52 and east of Radcliffe Drive, in Zone CN, in the University City Community Plan area. The subject property is more particularly described as Lot 2, University City Service Station Sites, Map-5291.

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(CUP-89-0326. District-1.)

Subitem-A: (R-90-736) ADOPTED AS RESOLUTION R-274503

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-89-0326 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-90-737) ADOPTED AS RESOLUTION R-274504,
GRANTED APPEAL, GRANTED PERMIT AS
AMENDED

Adoption of a Resolution granting or denying the appeal and granting or denying the permit, with appropriate findings to support Council action.

FILE LOCATION: PERM - CUP-89-0326

COUNCIL ACTION: (Tape location: C114-375.)

Hearing began at 2:19 p.m. and halted at 2:39 p.m.

Testimony in favor by Jim Bryant, Jerry Dawson, and Ken Huepper.

MOTION BY WOLFSHEIMER TO GRANT THE APPEAL OF MOBIL OIL CORPORATION AS TO CONDITIONS NO. 35 THROUGH 37, AND STRIKE OUT THE WORDS "AND MAINTAIN" AS RECOMMENDED BY THE CITY ATTORNEY; TO ACCEPT STAFF'S AMENDMENT TO INCLUDE THAT IF MOBILE OIL MAKES THE OFFER TO MTDB TO CONSTRUCT A FACILITY AND MAKE THE LAND AVAILABLE FOR IT, AND MTDB REJECTS IT, THEN THAT INFORMATION SHOULD BE BROUGHT TO A COMMITTEE. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksmma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-336: (R-89-2424) CONTINUED TO JANUARY 9, 1990

(Continued from the meeting of July 25, 1989, Item 341, at Council Member Pratt's request, for further review.)

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Gateway Center East Landscape Maintenance District.

(Southeast San Diego Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: This action establishes the annual assessment for the Gateway Center East Landscape Maintenance District. The district provides maintenance for the landscaped open space easements as well as landscaping along the frontage of all lots and medians on Market

Street and Gateway Center Drive. The estimated maintenance costs for the district for Fiscal Year 1990 are as follows:

Contractual Maintenance	\$ 55,167
Personnel	7,843
Utilities	20,250
Incidentals	13,355
Total Expenses	\$ 96,615
Reserve	9,190
Total	\$105,805
Less Carry-over & Interest	3,500
Less City Contribution	944
Assessed to District	\$101,361

The assessment amounts for Fiscal Year 1990 range from approximately \$1,800 to \$22,000 per parcel depending on the size of parcel and landscaped frontage. The corresponding range in Fiscal Year 1989 was from \$900 to \$11,000. The annual cost of maintenance remains approximately the same for Fiscal Year 1990 compared to Fiscal Year 1989. The apparent increase in the assessments is due to the fact that a large carry-over from Fiscal Year 1988 was used to reduce the assessments in Fiscal Year 1989 as requested by the property owners.

FILE LOCATION: STRT M-201

COUNCIL ACTION: (Tape location: C075-081.)

MOTION BY PRATT TO CONTINUE FOR 90 DAYS AS REQUESTED BY THE CITY MANAGER. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-337:

(Continued from the meetings of August 8, 1989, Item 338, and September 12, 1989, Item 338; last continued at Jack McGrory's request, for further review.)

Matters relating to the following:

A proposal to adopt the "Landscape Technical Manual" and the following ordinance amendments to the San Diego Municipal Code in order to implement the "Landscape Technical Manual":

- 1) City-wide Landscape Ordinance - Amendments to Chapter X, Article 1, Division 7, Sections 101.0701, 101.0702, 101.0703, 101.0704, 101.0705, 101.0706, 101.0707 and 101.0708. The proposed amendments to the City-wide

Landscape Ordinance are in response to recurring conditions on projects that have been permitted within the past year in addition to referencing the "Landscape Technical Manual". The plant point schedule changes are designed to reflect current market conditions for plant prices.

- 2) Resource Protection Ordinance - Amendments to Chapter X, Article 1, Division 4, Section 101.0462. The proposed amendments to the Resource Protection Ordinance would: a) make the definitions for clearing and grubbing consistent with definitions in the Land Development Ordinance and the "Landscape Technical Manual"; b) establish that landscaping required by RPO would be per the guidelines and criteria as set forth in the "Landscape Technical Manual"; and c) require the applications for RPO to be prepared in accordance with the submittal guidelines of the "Landscape Technical Manual".
- 3) Land Development Ordinance - Amendments to Chapter VI, Article 2, Division 1, Sections 62.0101, 62.0102, 62.0112, and Division 4, Sections 62.0401, 62.0402, 62.0402.1, 62.0402.2, 62.0402.3, 62.0403, 62.0404, 62.0404.5, 62.0404.6, 62.0405, 62.0406, 62.0407, 62.0408, 62.0409, through 62.0410, 62.0414, 62.0416.5, 62.0417 and 62.0418. The proposed amendments to the Land Development Ordinance would require that revegetation plans be prepared in compliance with the "Landscape Technical Manual" and that agronomic soils test reports be submitted as part of the permit application. Maintenance of up to 25 months will also be required for non-permanently irrigated revegetated slopes. This is necessitated by the slower and more unpredictable establishment of temporary and non-irrigated slope revegetation efforts.
- 4) Planned Development Ordinances - Amendments to Chapter X, Article 1, Division 9, Sections 101.0900, 101.0910, 101.0920 and 101.0930 (PRD, PCD, PID, PIRD). The proposed amendments to the Planned Development Ordinances would implement the "Landscape Technical Manual".
- 5) Planned Districts - Amendments to Chapter X, Article 3; Division 3 (La Jolla Shores); Division 5 (Mission Beach); Division 7 (Golden Hill); Division 9 (Barrio Logan); Division 10 (Mt. Hope); Division 11 (Otay Mesa); Division 12 (La Jolla); Division 13 (West Lewis); and

Division 14 (Cass Street). The proposed amendments to the Planned Districts referenced would implement the "Landscape Technical Manual".

- 6) Public Rights-of-Way and Land Development - Amendments to Chapter VI, Article 2, Division 6, Section 62.0611 (Street Planting). The proposed amendments to the Street Planting Ordinance reference Section 8 (Public Rights-of-Way and Open Spaces) of the "Landscape Technical Manual". The proposed reference would create consistency between current and proposed regulations.
- 7) Basic Zones - Amendments to Chapter X, Article 1, Division 4, Sections 101.0410, 101.0414, 101.0418, 101.0421, 101.0423, 101.0426, 101.0426.1, 101.0427, 101.0428, 101.0430, 101.0432, 101.0433, 101.0434, 101.0434.1, 101.0435.1, 101.0435.2, 101.0436, 101.0437, 101.0440 and 101.0441. The proposed amendments to the basic zones add specific references to the City-wide Landscape Ordinance and to the "Landscape Technical Manual". The addition of the City-wide Landscape Ordinance reference is in response to a prior City Council action on May 27, 1986 which adopted the City-wide Landscape Ordinance for all underlying zones City-wide.
- 8) Hillside Review Ordinance - Amendments to Chapter X, Article 1, Division 4, Section 101.0454. The proposed amendments to the Hillside Review Ordinance would implement the "Landscape Technical Manual".
- 9) LCP Amendment - The proposed amendments also constitute an amendment to the City of San Diego's Local Coastal Program (LCP). If approved by the City Council, the proposed LCP amendment must be submitted to the California Coastal Commission for review and certification. The LCP amendment would not become effective until after approval by the California Coastal Commission.
(City-wide.)

Subitem-A: (R-90-93) ADOPTED AS RESOLUTION R-274505

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-88-1023 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public

Resources Code Section 21081.

Subitem-B: (R-90-92) ADOPTED AS RESOLUTION R-274506

Adoption of a Resolution adopting the proposed "City of San Diego's Landscape Technical Manual".

Subitem-C: (O-89-245) INTRODUCED, TO ADOPTED ON OCTOBER 16, 1989

Introduction of an Ordinance amending Chapter V of the San Diego Municipal Code relating to Appendix II A of the Uniform Fire Code.

Subitem-D: (O-90-11) INTRODUCED, TO BE ADOPTED ON OCTOBER 16, 1989

Introduction of an Ordinance amending Chapter X of the San Diego Municipal Code relating to the City-wide Landscape Ordinance; Chapter X, relating to Planned Development Ordinances (PRD, PCD, PID, PIRD); and Chapter X, relating to Planned Districts (La Jolla Shores, Mission Beach, Golden Hill, Barrio Logan, Mt. Hope, Otay Mesa, La Jolla, West Lewis and Cass Street).

Subitem-E: (O-90-8) INTRODUCED, TO BE ADOPTED ON OCTOBER 16, 1989

Introduction of an Ordinance amending Chapter X of the San Diego Municipal Code, relating to the Resource Protection Ordinance.

Subitem-F: (O-90-9) INTRODUCED, TO BE ADOPTED ON OCTOBER 16, 1989

Introduction of an Ordinance amending Chapter VI of the San Diego Municipal Code, relating to the Land Development Ordinance.

Subitem-G: (O-90-12) INTRODUCED, TO BE ADOPTED ON OCTOBER 16, 1989

Introduction of an Ordinance amending Chapter VI of the San Diego Municipal Code relating to Street Planting.

Subitem-H: (O-90-13) INTRODUCED, TO BE ADOPTED ON OCTOBER 16, 1989

Introduction of an Ordinance amending Chapter X of the San Diego Municipal Code relating to the Basic Zones.

Subitem-I: (O-90-14) INTRODUCED, TO BE ADOPTED ON OCTOBER 16, 1989

Introduction of an Ordinance amending Chapter X of the San Diego Municipal Code relating to the Hillside Review Ordinance.

Subitem-J: (R-90-121) ADOPTED AS RESOLUTION R-274507

Adoption of a Resolution amending the City of San Diego's Local Coastal Program and authorizing transmittal to the Coastal Commission.

Subitem-K: (O-90-25) HEARING HELD

First public hearing in the matter of amending Ordinance O-17326 (NS), as amended, entitled "An Ordinance Adopting the Annual Budget for Fiscal Year 1989-90 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year", by amending Document No. OO-17326-1 and OO-17326-2, by amending the personnel authorization of the

Planning Department (065), Program Element 06533, by adding: 2.0 Senior Planners; 4.0 Associate Planners; 2.0 Junior Planners; 1.0 Clerical Assistant II, and related non-personnel expenses, for the purpose of administering the Landscape Technical Manual; authorizing the Auditor and Comptroller to increase the General Fund 100 appropriation and revenue estimate by \$379,272; authorizing the Auditor and Comptroller to transfer within the General Fund 100 the sum of \$59,016 from the Unallocated Reserve (605) to the Planning Department (065).

Aud. Cert. 9000132.

PLANNING DEPARTMENT REPORT: Complete project design review will be assumed by the Planning Department when the Landscape Technical Manual is adopted in the following areas: Slope Revegetation; Discretionary Plan Check; and Brush Management. Fees for these functions are currently deposited with applications for land development and/or discretionary permits. This appropriation is for project plan check and field inspections, and will be 90 percent fee-recovered. The hours represented include review and evaluation of concept plans, final submittals, working drawings, and quality assurance of final installation. These hours do not include administrative time, leave/vacation, miscellaneous functions including route slips, miscellaneous related assignments and public contact. Slope Revegetation/Land Development Permit --plan check and field inspection functions will be transferred from the Engineering and Development Department (currently authorized) to the Planning Department. Currently 150 applications for permits

are processed. The 6,550 hours estimated to perform these functions is based on data from Building Inspection and Engineering and Development departments. Discretionary Plan Check -- An average of 1,100 discretionary permit applications are submitted each year. The 16,500 hours estimated for plan check, field inspection and follow-up are based on staff time-cards and FY89 intake records. Brush Management -- An Average of 150 large development proposals requiring Brush Management plans are submitted each year. The 2,388 hours estimated for Brush Management plan check, field inspection and follow-up are based on FY89 time cards.

FILE LOCATION: SUBITEMS-A,B&J: MEET;
SUBITEMS-C,D,E,F,G,H,I,K: --

COUNCIL ACTION: (Tape location: C378-D413.)

Hearing began at 2:39 p.m. and halted at 3:21 p.m.

Testimony in favor by Dave Odell, Linda Michael, John Seymour, and Carole Landsman.

MOTION BY ROBERTS TO APPROVE STAFF RECOMMENDATIONS WITH RESPECT TO THE OVERALL DOCUMENT, THE SPECIFIC LANGUAGE, THE STAFF'S POSITION WITH RESPECT TO THE SETBACKS, WHERE SPEED LIMITS OF 50 MILES PER HOUR OR GREATER ARE POSTED, AND TO ACCEPT COUNCIL MEMBER HENDERSON'S AMENDMENT TO DIRECT STAFF TO RETURN TO COUNCIL IN ONE YEAR FOR A REVIEW OF THE IMPLEMENTATION. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksmma-not present, Henderson-yea, McCarty-nay, Filner-yea, Mayor O'Connor-yea.

ITEM-338: (O-90-55) CONTINUED TO OCTOBER 16, 1989

Introduction and adoption of an Ordinance amending Ordinance O-17326 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1989-90 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Documents No. 00-17326-1 and No. OO-17326-2, as amended and adopted therein, by increasing the General Fund 100 Revenue Estimates by \$105,000; and directing the City Auditor and Comptroller to allocate the \$105,000 to the Treasurer's Department (052) for the purpose of funding Banking Service Contracts.

(See City Manager Report CMR-89-456.)

NOTE: See Item 200 on the docket of October 2, 1989 for

the first public hearing.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: 238-244.)

MOTION BY FILNER TO CONTINUE TO OCTOBER 16, 1989, AT THE REQUEST OF THE CITY MANAGER BECAUSE THE FIRST HEARING FOR THIS ITEM WAS CONTINUED TO OCTOBER 10, 1989. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

Oct-3-1989

ITEM-S500: WELCOMED BY COUNCIL MEMBER WOLFSHEIMER

Welcoming a group of 35 students from Birdrock Elementary School, accompanied by their teacher, Roberta Sawyer. This group will arrive at approximately 10:30 a.m. (District-1.)

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A258-276.)

ITEM-S501: (R-90-452) CONTINUED TO OCTOBER 10, 1989

(Continued from the meeting of September 25, 1989, Item 118, at Council Member Roberts' request, for further review.)

Amending Resolution R-272101 by increasing the allocation of funds by \$250,000 for payment of legal fees and costs to Sullivan, Delafield, McDonald and Middendorf and Hetland and Hansen, for matters pertaining to the U.S. Grant Hotel; authorizing the City Auditor and Comptroller to transfer the sum of \$250,000 within the General Fund 100, from the Unallocated Reserve (605) to the Allocated Reserve (901); authorizing the expenditure of an amount not to exceed \$250,000 from the Allocated Reserve (901).

Aud. Cert. 9000282.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: A238-244.)

MOTION BY FILNER TO CONTINUE TO OCTOBER 10, 1989, FOR FURTHER DISCUSSION. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S502: CONTINUED TO NOVEMBER 14, 1989, 10:00 A.M.

(Continued from the meeting of 9/26/89, Item 331, at the request of the developer and the applicant, to allow time to resolve the matter.)

Appeal of Mission Valley West, by Edward B. Romanow, from the decision of the Planning Commission in granting Planned Commercial Development Permit PCD-88-0948 (Mission Valley Marriott), proposing to develop a hotel complex with 296 rooms, located south of Hotel Circle South, east of I-8/Taylor Street interchange and west of the I-8/Hotel Circle South interchange. The subject property (approximately 11.66 acres) is further described as Lot 2 and a portion of Lot 3, Evelyn Terrace Map-5500, in Zone CR, in the Mission Valley Community Plan area. (PCD-88-0948. District-5.)

Subitem-A: (R-90-)

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-88-0948 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-90-)

Adoption of a Resolution granting or denying the appeal and granting or denying the permit, with appropriate findings to support Council action.

FILE LOCATION: PERM - PCD-88-0948

COUNCIL ACTION: (Tape location: A020-025.)

MOTION BY HENDERSON TO CONTINUE TO NOVEMBER 14, 1989, AT 10:00 A.M. AT THE REQUEST OF MISSION VALLEY WEST AND MARRIOTT HOTELS FOR TIME TO DISCUSS THE ALIGNMENT OF VIA LAS CUMBRES OVERPASS/INTERCHANGE. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-S503: (R-90-549) ADOPTED AS RESOLUTION R-274500

Declaring October 1989 to be "Big Bear Markets
Appreciation Month" in San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C010-057.)

MOTION BY McCARTY TO ADOPT. Second by Roberts. Passed by the
following vote: Wolfsheimer-yea, Roberts-yea, McColl-not
present, Pratt-not present, Struiksma-not present,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S504: (R-90-491) CONTINUED TO OCTOBER 16, 1989

Authorizing the City Manager to proceed with the planning
for Alternative IV of the Framework Plan Report of the
Clean Water Program, which would implement secondary and
tertiary wastewater treatment at new facilities and convert
the Point Loma Wastewater Treatment Plant to secondary
treatment by the year 2015.
WU-U-90-041.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: A026-050.)

MOTION BY HENDERSON TO CONTINUE TO OCTOBER 16, 1989, AT THE
REQUEST OF THE CITY MANAGER BECAUSE THE MATTER WAS
INADVERTENTLY
NOTICED FOR TODAY. Second by Filner. Passed by the following
vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea,
Mayor O'Connor-not present.

ITEM-S505: PROCLAIMED

Proclaiming October 10, 1989, to be "Hire the Older Worker
Day" in San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C058-066.)

MOTION BY FILNER TO APPROVE. Second by Roberts. Passed by the
following vote: Wolfsheimer-yea, Roberts-yea, McColl-not
present, Pratt-yea, Struiksma-not present, Henderson-yea,

McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-CS-1: (R-90-553) ADOPTED AS RESOLUTION R-274499

A Resolution adopted by the City Council in Closed Session on October 3, 1989:
Authorizing the City Manager to pay the sum of \$47,314.43 in settlement of each and every claim against the City of San Diego, its agents and employees, resulting from property damage to Soltek, Inc.; authorizing the City Auditor and Comptroller to issue one check in the amount of \$47,314.43, made payable to Luth & Turley, Inc., in full settlement of all claims.
Aud.Cert: 9000333.

FILE LOCATION: MEET

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 3:20 p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D414-415).